



House of Representatives

General Assembly

File No. 262

January Session, 2017

Substitute House Bill No. 7069

House of Representatives, March 28, 2017

The Committee on Environment reported through REP. DEMICCO of the 21st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CERTAIN REQUIREMENTS OF COMMISSION SALES STABLES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-277 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 (a) As used in this section, "livestock animal" means any camelid or
4 hooved animal raised for domestic or commercial use. The
5 Commissioner of Agriculture shall supervise commission sales stables
6 where livestock animals are sold at public auctions. Any person, firm
7 or corporation engaged in the business of selling livestock animals at
8 such auctions or sales shall annually apply to said commissioner for a
9 license upon a form to be prescribed by the commissioner. The fee for
10 each such license shall be one hundred ninety dollars, payable to said
11 commissioner. Each such license shall be issued for the period of one
12 year from July first and may be revoked for cause. If, in the judgment
13 of the commissioner, any provision of this section has been violated,
14 the commissioner shall send notice by registered or certified mail to

15 the licensee, who shall be given a hearing, and, if violation is proven,
16 the license shall be revoked. If a license to deal in livestock, issued to
17 any person, firm or corporation by another state, has been suspended
18 or revoked by such state within five years next preceding the date of
19 issuance or renewal of a license to such person, firm or corporation
20 under the provisions of this section, such suspension or revocation
21 shall constitute just cause for revocation under this section. All dairy
22 animals to be sold at such auction shall be segregated from beef
23 animals prior to such sales. The sale of dairy animals shall precede the
24 sale of those assigned for slaughter. All bovines more than three
25 hundred pounds in weight, except dairy and breeding animals, that
26 are delivered to a sale shall be branded with the letter "S" in a
27 conspicuous place or identified in a manner acceptable to the
28 commissioner or the commissioner's designee by the operator of the
29 sale or the operator's representative. All dairy and breeding animals
30 from within the state arriving at a sale shall be from a herd that: (1) Is
31 under state supervision for the control of brucellosis and tuberculosis
32 and that has been tested for brucellosis and tuberculosis less than
33 fourteen months before the sale, (2) has been tested for tuberculosis
34 less than fourteen months before the sale and is regularly tested under
35 the brucellosis ring test program of the Department of Agriculture, or
36 (3) is certified to be brucellosis-free under the program established
37 pursuant to section 22-299a. All dairy and breeding animals arriving at
38 a sale from outside the state shall comply with section 22-304 and be
39 accompanied by a health certificate issued by the livestock official of
40 the state of their origin and by [a] an import permit from the
41 commissioner. All animals offered for dairy or breeding purposes
42 [over six months of age] shall be identified by an official ear tag, [a
43 tattoo or registration papers] or by a breed registration number if
44 accompanied by the corresponding breed registration certificate. [All
45 female dairy or breeding animals over six months of age shall have
46 been calfhood vaccinated against brucellosis.] Animals consigned for
47 slaughter shall be sold only to owners or agents of slaughtering
48 establishments and moved directly to such slaughtering
49 establishments for immediate slaughter or slaughter that occurs not

50 later than seventy-two hours after the time of sale. All stables and sales
51 rings shall be kept clean and shall be suitably disinfected prior to each
52 sale. The provisions of this section shall not apply to the sale of an
53 individual herd at an auction conducted by the owner thereof. Any
54 person, or any officer or agent of any corporation, who violates any
55 provision of this section or who obstructs or attempts to obstruct the
56 Commissioner of Agriculture or the commissioner's deputy or
57 assistants in the performance of their duty, shall be guilty of a class D
58 misdemeanor.

59 (b) Any person, firm or corporation licensed pursuant to subsection
60 (a) of this section shall make, execute and thereafter maintain on file
61 with the Commissioner of Agriculture a bond to the state, satisfactory
62 to the commissioner, to secure the performance of obligations incurred
63 in this state or in lieu thereof, and a bond filed with the United States
64 Department of Agriculture in the amount as required herein, pursuant
65 to the provisions of the Packers and Stockyards Act (7 USC 181 et seq.).
66 The amount of each such bond shall be based on the amount of one
67 average sale of such person, firm or corporation. One average sale shall
68 be computed by dividing the total yearly gross receipts from the sale of
69 all livestock during the preceding twelve months by the number of
70 sales during such time, provided the number of sales used to compute
71 one average sale shall not be greater than one hundred thirty. If the
72 amount of one average sale is ten thousand dollars or less the amount
73 of the bond shall be ten thousand dollars. If the amount of one average
74 sale is more than ten thousand dollars but not more than twenty-six
75 thousand dollars, the amount of the bond shall be not less than the
76 next multiple of two thousand dollars above such amount. If the
77 amount of one average sale is more than twenty-six thousand dollars
78 but not more than thirty thousand dollars, the amount of such bond
79 shall be thirty thousand dollars. If the amount of one average sale is
80 more than thirty thousand dollars, the amount of the bond shall be not
81 less than the next multiple of five thousand dollars above such
82 amount.

83 (c) Any person, firm or corporation licensed pursuant to subsection

84 (a) of this section shall maintain accurate records of the name and
85 address of the seller and buyer of livestock, the name of the livestock
86 dealer, broker or transporter and any other party involved in each
87 transaction, the official identification for each animal, and the
88 destination or other disposition for each animal entering the premises
89 of the commission sales stables. Such records shall be maintained at
90 the commission sales stable for a period of three years from the date of
91 sale. Such records or copies of such records shall be made available to
92 the commissioner, or the commissioner's designated representative for
93 inspection not later than twenty-four hours after notice to the licensee
94 of such request. Any person who: (1) Fails to provide the requested
95 documentation to the commissioner, or the commissioner's designated
96 representative; (2) obstructs the commissioner or the commissioner's
97 designated representative in the performance of the department's
98 duties pursuant to this section; or (3) provides false or misleading
99 information to the commissioner or the commissioner's designated
100 representative, shall be fined not more than one hundred dollars per
101 day until the requested, accurate and complete information is
102 provided to the commissioner or the commissioner's designated
103 representative.

104 (d) The sale of wild animals, captive cervidae, pets and companion
105 animals including pet birds and all Psittacine birds is prohibited. The
106 sale of equines shall comply with chapter 438a including obtaining any
107 required licenses. The sale of poultry shall comply with chapter 434
108 including obtaining any required licenses.

109 (e) The commissioner may adopt regulations, in accordance with the
110 provisions of chapter 54, to implement the provisions of this section.
111 Such regulations may include, but are not limited to, requirements for
112 access to on-site inspections by the commissioner or the
113 commissioner's designated representative, specifications concerning
114 the keeping and maintenance of required records and access to such
115 records, animal identification standards, requirements concerning
116 livestock and domestic poultry originating from out of state, animal
117 segregation requirements, animal health, care and handling standards,

118 sanitation standards, facility design and construction requirements,
119 requirements for animals raised for food or fiber production other than
120 livestock, and the establishment of penalties for any violation of the
121 provisions of this section that do not otherwise have a prescribed
122 penalty.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	22-277

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Department of Agriculture	GF - Potential Revenue Gain	Less than 3,000	Less than 3,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill alters law governing the places where livestock animals are sold at private auction (commission sales stables), which the Department of Agriculture (DoAg) licenses and oversees.

The bill may result in a revenue gain of less than \$3,000 annually, as it requires anyone who does not provide records to DoAg to remit a fine of up to \$100 per day.

The bill also allows DoAg to adopt regulations for livestock auctions. As the agency currently has expertise in this area, this does not result in a fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number and occurrences of violations.

OLR Bill Analysis**sHB 7069****AN ACT CONCERNING CERTAIN REQUIREMENTS OF COMMISSION SALES STABLES.****SUMMARY**

This bill revises the law governing the places where livestock animals are sold at private auction (i.e., “commission sales stables”), which the Department of Agriculture (DoAg) commissioner licenses and oversees. Livestock animals are camelids (e.g., llamas or camels) or hooved animals raised for domestic or commercial use. The bill:

1. requires that all dairy and breeding animals at a commission sales stable, instead of just those older than six months, be identified;
2. establishes a 72-hour deadline for slaughtering animals after a sale;
3. eliminates a requirement that certain dairy and breeding animals be vaccinated against brucellosis as calves to be sold;
4. requires commission sales stables to maintain certain records on animals sold or bought at the facility and make them available to DoAg for inspection;
5. explicitly prohibits commission sales stables from selling wild animals, captive cervidae (e.g., deer), pets and companion animals, and psitticane birds (e.g., parrots);
6. explicitly requires commission sales stables to obtain separate licenses to sell poultry or equines, as applicable, if they conduct those activities; and

7. allows the DoAg commissioner to adopt regulations regarding commission sales stables.

EFFECTIVE DATE: October 1, 2017

COMMISSION SALES STABLES

Animal Identification

The bill requires all animals offered for dairy or breeding purposes at a commission sales stable to be identified, rather than only those older than six months. It allows identification by ear tag, as under existing law, or breed registration number if the animal is accompanied by the corresponding breed registration certificate. It eliminates tattoos as an identification method.

By law, violating the animal identification requirement is a class D misdemeanor, punishable by a fine of up to \$250, up to 30 days in prison, or both.

Slaughter Deadline

The bill requires animals sold for slaughter to be moved to a slaughtering facility and slaughtered immediately or within 72 hours after the sale. Current law requires immediate slaughter. By law, slaughter animals may be sold only to owners or agents of slaughtering facilities. A violation is a class D misdemeanor.

Health Requirements

The bill eliminates a requirement for female dairy or breeding animals that are at least six months old and sold by a commission sales stable to have been vaccinated against brucellosis as calves. Existing law, unchanged by the bill, requires dairy and breeding animals to meet certain health requirements, including testing for brucellosis or being certified as brucellosis-free (see BACKGROUND). A violation is a class D misdemeanor.

Recordkeeping Requirements

The bill requires a commission sales stable licensee to maintain, for a three-year period from the date of sale, accurate records on each

animal sold. The records must include the:

1. name and address of the livestock seller and buyer;
2. name of the livestock dealer, broker, or transporter and any other party involved in the transaction;
3. animal's official identification; and
4. destination or other disposition of the animal.

The licensee must make the records available to the DoAg commissioner, or his designee, for inspection within 24 hours after request.

Under the bill, anyone who does not provide the records as required, obstructs DoAg in performing its duties, or provides false or misleading information, is subject to a fine of up to \$100 per day until accurate, complete information is provided.

Regulations

The bill allows the DoAg commissioner to adopt regulations regarding commission sales stables. The regulations may include:

1. requirements for on-site inspections by the DoAg commissioner or his designee;
2. specifications for keeping and providing access to required records;
3. animal identification standards;
4. requirements concerning livestock and domestic poultry originating from out of state;
5. animal segregation requirements;
6. animal health, care, and handling standards;
7. sanitation standards;

8. facility design and construction requirements;
9. requirements for animals raised for food or fiber production other than livestock; and
10. penalties for violating any commission sales stable requirements that do not have a prescribed penalty.

BACKGROUND

Dairy and Breeding Animal Health Requirements

By law, dairy and breeding animals brought to a commission sales stable must meet certain health requirements. If they are from within Connecticut, the animals must be from herds:

1. under state supervision and tested for brucellosis and tuberculosis within the last 14 months;
2. tested within the last 14 months for tuberculosis and regularly tested under DoAg's brucellosis ring test program; or
3. certified by DoAg as brucellosis-free.

Dairy and breeding animals from outside the state must (1) meet the health requirements for imported cattle, (2) have a health certificate from the originating state, and (3) have a DoAg-issued permit.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/10/2017)